

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

DAVID ZINK, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 12-4209-CV-C-BP
	)	
GEORGE A. LOMBARDI, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On January 28, 2014, the Court held a telephone conference with the parties to address filings made during the course of this litigation. The Court's Orders are as follows:

**ORDERED** that Smulls' Emergency Motion to Preserve Evidence, (Doc. 315), is **GRANTED**. Defendants are **ORDERED** to preserve all physical evidence relating to Smulls' execution, including any leftover pentobarbital, used and unused syringes, medical tubing, and any other materials that would otherwise be disposed. Defendants are further **ORDERED** to store, preserve, and maintain this evidence at room temperature.

**ORDERED** that Plaintiffs' Emergency Motion to Modify the Court Order Pertaining to Sealing of Dr. Sasich's Declaration, (Doc. 309), is **GRANTED**. In connection with this litigation, counsel for Defendants are directed to disclose unredacted versions of Dr. Sasich's affidavits, dated January 23, 2014 and January 26, 2014, to Governor Jay Nixon.

**IT IS SO ORDERED.**

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/s/ /Beth Phillips  
BETH PHILLIPS, JUDGE  
UNITED STATES DISTRICT COURT

DATE: January 28, 2014